



APPROVED

**BOARD OF ADJUSTMENT
CITY OF SCOTTSDALE
CITY HALL KIVA
3939 NORTH DRINKWATER BOULEVARD
SCOTTSDALE, ARIZONA
DECEMBER 7, 2005**

STUDY SESSION MINUTES

PRESENT: Terry Kuhstoss, Chairman
Carol Perica, Vice-Chairman
Jennifer Goralski, Board Member
Ernest Jones, Board Member
James Vail, Board Member
Neal Waldman, Board Member

ABSENT: Howard Myers, Board Member

STAFF PRESENT: Tim Curtis
Sherry Scott
Al Ward
Kira Wauwie

CALL TO ORDER

The study session of the Scottsdale Board of Adjustment was called to order by Chair Kuhstoss at 5:36 p.m.

ROLL CALL

A formal roll call confirmed the members present as stated above.

DISCUSSION OF ITEMS

1. Administrative Items

Amendment to the Rules of Procedure to add Rule 407-Reconsiderations, which restricts the Board's ability to hear or consider reconsiderations.

Chairman Kuhstoss acknowledged the following options currently before the Board:

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Option A:

The Board shall not hear or consider the reconsideration of any decision.

Option B:

The Board shall not hear or consider the reconsideration of any decision unless a motion for reconsideration is made prior to adjournment of the meeting when the decision was made. A motion for reconsideration can only be made by a Board Member on the winning side of the motion to be reconsidered.

Chairman Kuhstoss expressed favor for Option A.

Board Member Vail opined that a request for reconsideration rarely occurs and expressed, in the spirit of public/customer service, that the option for reconsideration should remain open. He expressed concern regarding a blanket statement that the Board would never consider a reconsideration.

Board Member Waldman concurred with Board Member Vail, elaborating on the possibility of a special circumstance occurring at some point in time that the Board may need to have the option to reconsider.

In response to a request for clarification by Chairman Kuhstoss, Board Member Waldman opined that Option B should be considered.

Board Member Jones expressed agreement with comments by Board Members Waldman and Vail.

Review Tentative 2006 Board of Adjustment Hearing Dates

Mr. Curtis requested that Board Members review the 2006 Board of Adjustment meeting schedule and report any noted conflicts to staff.

Discussion Of Items On Regular Agenda

13-BA-2005 (Cobb Residence) Request for a Variance from Article V. Section 5.204.G regarding walls, fences and landscaping within the required side yard and Article VII, Section 7.104 regarding height limitations on fences, hedges, shrubbery, etc., on corner lots.

Chairman Kuhstoss expressed opposition to the variance request due to the circumstances being a self-created situation and blockage to the neighbors.

No additional comments or questions presented.

14-BA-2005 (Crompton Residence), request for a variance from Article V. Section 5.204.E.1a regarding front yard depth and Article V. Section 5.204.E.1.c regarding the required front yard to be provided on both streets on a corner lot.
No comments or questions presented.

2. Board update and discussion of changes to the City Zoning Ordinance.

Mr. Curtis indicated that there are no updates to report regarding the zoning ordinance.

ADJOURNMENT

With no further business to discuss, the study session of the Scottsdale Board of Adjustment adjourned at 5:42 p.m.

Respectfully submitted,
A/V Tronics, Inc.